

POLICY

THE SYSTEM OF POLICIES AND PROCEDURES

CAM 1.2

DATE: 5/25/99

A. PURPOSE:

To establish the source of policies and procedures that governs the work done by the Procurement Division and state agencies acquiring commodities (i.e., materials, supplies and equipment) and information technology goods and services under delegation from the Procurement Division in the fields of acquisition and materials management. Authorizes the system of documents that will be used to communicate work instructions to all affected acquisition personnel.

B. DEFINITIONS: See Glossary Section for definitions. Any definitions included here are for purposes of this procedure only.

1. **Agency Supplement:** A policy or procedure created by a state agency or department other than the Procurement Division for use by personnel in that agency or department.
2. **California Acquisition Manual:** A system of documents that communicate acquisition and materials management policies and procedures to Procurement Division employees and state agencies with delegated purchasing authority.
3. **California Multiple Award Schedule Bulletin:** A document published by the Procurement Division California Multiple Award Schedule (CMAS) Unit to provide timely information or advice of interest to suppliers and client agencies relating to changes in policy and procedures effecting the CMAS program. Typically CMAS Bulletins are sent out when there is a change in legislation, policy and procedure or CMAS contracts and they are effective immediately. CMAS Bulletins are stored separately from policies and procedures contained in the California Acquisition Manual or State Administrative Manual.
4. **Coordination:** A method of distributing draft policies and procedures for comment before they are adopted. Typically, coordination shall consist of distribution to all Procurement Division Management Council Members; selected state agency representatives, and selected suppliers and members of the public, or such other methods as may be required by law. Coordination may be limited to Procurement Division or state agency personnel only when the subject of the policy or procedure is for internal use and does not impact suppliers.
5. **Interim Policy or Procedure:** A document which must be published quickly to provide work instructions to comply with a new law or regulation or change to a law or regulation that will become effective with insufficient time to allow for coordination. Coordination will take place after issuance of the Interim policy or procedure and a revised version will be published to incorporate any comments deemed appropriate. A policy or procedure Change may be used to eliminate the interim designation or the document may be republished in its entirety.

6. **Operating Instruction:** A document created to describe specific work operations of one employee or small groups of employees within a work unit. Operating Instructions may not conflict with any requirements of higher law, regulations, including the State Administrative Manual or the California Acquisition Manual.
7. **Policy:** A document that describes a general policy or statement of principle. Policies may be further described in detailed procedures, which explain how policies will be implemented.
8. **Procedure:** A document that describes responsibilities of organizations and actions required of those engaged in acquisition and materials management processes. May include recommended actions necessary to carry out responsibilities. Where appropriate, diagrams and flow charts may be included to depict the process and responsible parties for specific tasks. As necessary, Procedures shall reference applicable law and regulation from which authority is derived.
9. **Policy or Procedure Change:** A document that describes specific changes to a published policy or procedure, including an interim policy or procedure, where the changes are minor and it is not deemed necessary to republish the entire document. A Change will identify specific words, paragraphs, sentences, attachments, etc., which are revised. A Change is filed with the policy or procedure that it modifies.
10. **Procurement Bulletin:** A document published by the Procurement Division to provide timely information or advice of interest to acquisition and materials management professionals. Procurement Bulletins can emphasize or clarify policy or procedures but may not modify a Policy or Procedure. Procurement Bulletins will contain an expiration date and shall be discarded upon expiration, or in any event shall expire within one year unless their expiration date is extended. Procurement Bulletins are stored separately from policies and procedures contained in the California Acquisition Manual or State Administrative Manual.
11. **State Administrative Manual (SAM):** A manual governing state functions published by the Department of General Services, Office of State Publishing. SAM contains sections that cover acquisition instructions among many other things. For information technology goods and services, SAM is the primary source of acquisition policies and procedures, and is further supplemented by the California Acquisition Manual (CAM).

#### C. POLICY:

1. In accordance with Government Code 14600, the Department of General Services, Procurement Division is authorized to develop and enforce policies and procedures for purchasing.
2. All personnel responsible directly or indirectly for the procurement of commodities (i.e., materials, supplies and equipment) and information technology goods and services (IT) must comply with the federal and state Constitution, laws and regulations, Executive Orders, the State Administrative Manual (SAM), the California Acquisition Manual (CAM) and other relevant directives (e.g., Management Memos and the State Contracting Manual) in the performance of their responsibilities for acquisition and materials management activities. See Appendix 1 for a description of the various sources of acquisition instruction.
  - a. In order to provide a consistent system of instruction, whenever law, regulation or policy affect how acquisition and materials management personnel must perform their duties, these instructions will be communicated through the State Administrative Manual (SAM), the California Code of Regulations (as necessary), and in the

California Acquisition Manual (CAM) or any other additional instruction methods as are expressly authorized herein.

- b. Where necessary, Agency Supplements to the policies and procedures in the SAM or CAM may be created. Operating Instructions may also be created. Procurement Bulletins and System Integrity Alerts are used to communicate information of general interest or to reinforce policies and procedures, but are not of the same force and effect as Policies and Procedures.
  - c. Agencies other than the Procurement Division may only establish Policy or Procedure Supplements for the acquisition of commodities or information technology goods or services that:
    - i. are consistent with the law, regulations, SAM, CAM or the State Contracting Manual, as applicable; or
    - ii. impose more stringent requirements.
  - d. Mandatory requirements contained in the SAM or CAM may not be eliminated or waived except with the express advance written consent of the Deputy Director, Procurement Division and only after the requesting agency demonstrates a compelling business need for such an exception.
2. The Procurement Division Policies and Procedures Unit shall be responsible for the publication of the CAM and shall be the central point of contact to recommend changes to the SAM for all sections within the Procurement Division's responsibility as set forth in SAM.
- a. The CAM shall be available on the Internet where the Procurement Division maintains other information available to the public (see [www.pd.dgs.ca.gov](http://www.pd.dgs.ca.gov)). SAM is also available on the Internet or by purchase from the Office of State Publishing.
  - b. The Procurement Division will make copies of CAM available to agencies for a fee in an amount estimated to cover the cost of materials, preparation and mailing, whether on computer diskette, CD-ROM, paper or other medium. The fee charged would include any revisions that are issued for one year from issuance of the CAM. An additional fee may be required for maintenance of CAM for each subsequent year thereafter.
  - c. Where employees choose to keep physical copies of documents or manuals that are not issued or maintained by the Policies and Procedures Unit, they shall be responsible to keep them current. It is recommended that employees frequently check the Internet version of CAM to make sure that they are using the latest version of documents.
  - d. In the event that persons with disabilities request reasonable accommodation in obtaining the CAM under the Americans with Disabilities Act (ADA), the Policies and Procedures Unit shall determine how to accommodate the request in accordance with established Division policies.
3. The Policies and Procedures Unit may assist state agencies in the development of Agency Supplements to Policies or Procedures, which provide additional instruction or are tailored to unique business requirements or unique circumstances of a particular agency. Agency Supplements require advance written approval of the Policies and Procedures Unit. The Policies and Procedures Unit may ratify any documents, which

existed prior to the effective date of this policy and designate them as Agency Supplements.

4. Managers may approve Operating Instructions, which provide very detailed work instructions geared to the individual employee level or groups of employees within their unit subject to approval of the Policies and Procedures Unit. Upon request, the Policies and Procedures Unit will assist in the development of Operating Instructions. However, Operating Instructions cannot violate any requirement established by law, regulation, SAM, CAM or established Policy or Procedure.
5. CAM policies and procedures shall be drafted and distributed for coordination in accordance with Public Contract Code Section 12102(b)(1). While, generally, all such documents shall be coordinated for comments prior to publication, coordination may be limited to state personnel only, if a document affects only the internal operation of the Procurement Division or state agencies. Where comments are provided, they shall be reviewed and incorporated, as deemed appropriate.
6. When necessary to communicate changes in law or regulation where there is insufficient time to fully coordinate drafts for comments, Interim documents may be issued with the approval of the Deputy Director, Procurement Division and coordination conducted following the issuance of the Interim document. Interim documents shall be valid for a period of six months, unless superseded prior to the interim expiration date. If not superseded by a revised document, the Interim document shall become effective at the expiration of six months.
7. Any person may submit suggestions for new CAM documents or for changes to or deletion of documents. Where the person making the suggestion is a state employee, their manager or head of the acquisition function shall approve the recommendation. Suggestions shall be reviewed and acted upon by the Policies and Procedures Unit. If a suggestion is not adopted, the person making the suggestion will be notified of the reasons thereof by the Manager of Policies and Procedures. To make a suggestion, submit a letter or memorandum describing the action requested. For new policies or procedures, a draft should be submitted that follows the formats established in CAM. For changes to existing documents, a copy of the existing document should be attached and requested changes indicated in red (unless the changes are too many to be understood without rewriting sections).
8. The Procurement Division Deputy Director or designee must approve CAM policies and procedures (including interim documents and changes). An original signature on the document indicates such approval. The Policies and Procedures Unit retains the original signed document.
9. Procurement Bulletins require the approval signature of the Deputy Director or designee.
10. CMAS Bulletins require the approval signature of the CMAS Manager.
11. All policies and procedures and other documents authorized by this policy shall become effective on the date indicated on the document, which shall be after approval is obtained.
12. All acquisition and materials management personnel are responsible for knowing, understanding and complying with the laws, regulations and policies and procedures, including SAM, as they may be amended.

#### **D. RESPONSIBILITIES:**

1. All Procurement Division personnel who receive comments from customer agencies, suppliers or the public regarding possible improvements to the CAM shall advise the Policies and Procedures Unit.
2. Close cooperation is required between the Policies and Procedures Unit, buyers throughout the state and suppliers to ensure that instructions published in CAM will be effective for buyers and state agencies with delegated purchasing authority. Close cooperation is needed to streamline the acquisition process in order to reduce costs to the state for commodities and Information Technology goods and services.
3. The Policies and Procedures Unit will coordinate with the Office of State Publishing for the publication of the State Administrative Manual and with the Office of Administrative Law for compliance with the Administrative Procedures Act (APA), (Government Code 11340 et seq.), as applicable.
4. Where appropriate, the Policies and Procedures Unit will communicate with the Office of Legal Services to enhance the CAM and the State Contracting Manual and provide clear and consistent instructions to contracting and acquisition professionals throughout the State.
5. For Information Technology policies and procedures, the Policies and Procedures Unit will coordinate with the Department of Information Technology as required by law. (Public Contract Code 12105)

#### **E. APPENDICES:**

[Appendix 1:](#) Sources of Policies and Procedures

#### **F. AUTHORITY AND REFERENCES:**

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| 1. Statutory:      | GC 11340 et seq., the Administrative Procedure Act (APA)<br>GC 14600, authorizing Department of General Services to develop and enforce policy and procedures for purchasing<br>PCC 12102(b)(1), regarding agency/public participation in developing acquisition policies and procedures<br>PCC 12105, regarding Department of Information Technology (DOIT) |
| 2. Administrative: | None   |
| 3. Procedural:     | None   |

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